

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

Lufthansa Technik AG,

Plaintiff,

v.

Astronics Advanced Electronic Systems Corp.  
and KID-Systeme GmbH,

Defendants.

No. C14-1821 RSM

STIPULATION, MOTION, AND ORDER  
REGARDING STAY AND REQUEST FOR  
FINAL JUDGMENT

**STIPULATION AND MOTION**

The parties, by their undersigned counsel, stipulate as follows:

1. On July 20, 2016, the Court issued its Summary Judgment Order (Dkt. No. 148), granting Defendant Astronics Advanced Electronic System Corp.'s ("AES") motion for summary judgment; declaring Plaintiff Lufthansa Technik AG's ("LHT") U.S. Patent No. 6,016,016 invalid for indefiniteness; dismissing with prejudice LHT's claims against AES; striking AES's motion to compel as moot; and directing LHT and Defendant KID-Systeme GmbH's ("KID") to submit a Joint Status Report in seven days addressing the status of the case and the need for the Court to rule on the remaining Motions given the Summary Judgment Order.
2. On July 27, 2016, LHT and KID submitted their Joint Status Report (Dkt. No. 149).

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1           3.     In the Joint Status Report, LHT stated that it intends to appeal the Summary  
2 Judgment Order, which dismissed all of LHT's claims against AES with prejudice.

3           4.     Because this action presents more than one claim for relief and because multiple  
4 parties are involved, LHT requests that the Court direct entry of a final judgment under Federal  
5 Rule of Civil Procedure 54(b) as to LHT's claims against AES with the express determination  
6 "that there is no just reason for delay."

7           5.     KID does not oppose LHT's request for this entry of judgment under Rule 54(b).

8           6.     LHT contacted counsel for AES, and AES takes no position on this motion.

9           7.     LHT's claims against KID remain pending.

10          8.     On January 29, 2016, KID moved to dismiss LHT's claims. (Dkt. No. 97.)

11          9.     On April 26, 2016, this Court ordered KID to produce jurisdictional discovery to  
12 LHT. (Dkt. No. 124.) On June 1, 2016, the Court stayed all pending motions and discovery.  
13 (Dkt. No. 139.) In view of the stay, KID has not yet produced that jurisdictional discovery to  
14 LHT.

15          10.    On May 12, 2016, KID brought a supplemental motion to dismiss. (Dkt. No.  
16 129.)

17          11.    LHT and KID jointly request that the Court stay proceedings on LHT's claims  
18 against KID, including the pending motions to dismiss (Dkt. Nos. 97 and 129), and continue the  
19 stay of discovery in compliance with the Court's jurisdictional discovery order (Dkt. No. 124),  
20 pending the outcome of LHT's forthcoming appeal. LHT and KID will submit an updated joint  
21 status report to the Court within 14 days of the date the Federal Circuit issues its mandate in  
22 LHT's appeal.

DATED this 17th day of August, 2016.

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**ORDER**

It is so ORDERED this 18<sup>th</sup> day of August 2016 that:

(a) Finding that there is no just reason for delay, the Court enters final judgment as to LHT's claims against AES;

(b) All proceedings on LHT's claims against KID, including KID's pending motions to dismiss (Dkt. #97 and #129) and the discovery in compliance with the Court's jurisdictional discovery order (Dkt. #124), are hereby stayed pending the outcome of LHT's forthcoming appeal of the judgment as to LHT's claims against AES; and

(c) LHT and KID will submit an updated joint status report to the Court within 14 days of the date the Federal Circuit issues its mandate in LHT's appeal.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

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